U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
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CLERK, U.S. DISTRICT COURT
By ________
Deputy

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

MCW, INC., d/b/a BERNARD HALDANE ASSOCIATES,

PLAINTIFF,

v.

BADBUSINESSBUREAU.COM, LLC, d/b/a,WWW.RIPOFFREPORT.COM and WWW.BADBUSINESSBUREAU.COM, and EDWARD MAGEDSON, a/k/a ED MAGIDSON,

DEFENDANTS.

CIVIL ACTION

No. 3:02-CV-2727-G

PLAINTIFF'S FIRST AMENDED COMPLAINT FOR DAMAGES AND INJUNCTIVE RELIEF

Plaintiff, MCW, Inc., d/b/a Bernard Haldane Associates, ("Plaintiff" or "MCW") by its undersigned attorneys, for its First Amended Complaint against the defendants badbusinessbureau.com, LLC, d/b/a WWW.RIPOFFREPORT.COM, and WWW.BADBUSINESSBUREAU.COM, and Edward Magedson, a/k/a Ed Magidson, (collectively "Defendants"), for damages and injunctive relief under the laws of the United States and the State of Texas alleges as follows:

I. SUBJECT MATTER JURISDICTION

1. This Court has subject matter jurisdiction over this action pursuant to 15 U.S.C. § 1121, and 28 U.S.C. §§ 1331, 1338(a). The matter in controversy exceeds, exclusive of interest and costs, the sum of seventy-five thousand dollars.

2. This Court has supplemental jurisdiction over the claims in this Complaint that arise under the statutory and common law of the State of Texas pursuant to 28 U.S.C. §§ 1338(b), 1367(a) and of pendent jurisdiction and any other applicable law, since the state law claims are so

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related to the federal claims that they form part of the same case or controversy and derive from a common nucleus of operative facts.

II. VENUE

3. Venue is proper in the Northern District of Texas and this Court pursuant to 28 U.S.C. § 1391 because Defendants have committed and continue to commit tortious acts in the State of Texas and in this district.

III. PARTIES AND PERSONAL JURISDICTION

4. Plaintiff, MCW, Inc., d/b/a/ Bernard Haldane Associates, a Texas corporation with its principal offices located in Dallas, Texas, is a franchisee of the nations oldest and largest career management firm, and does business in this district.

5. Defendant badbusinessbureau.com, LLC, d/b/a WWW.RIPOFFREPORT.COM and WWW.BADBUSINESSBUREAU.COM, is, on information and belief, a limited liability company formed under the laws of St. Kits/Nevis, West Indies. Upon information and belief, badbusinessbureau.com, LLC is owned and/or operated by Defendant Edward Magedson, a/k/a Ed Magidson. Defendants transact business in this district through the World Wide Web through the internet website addresses and platforms WWW.RIPOFFREPORT.COM and WWW.BADBUSINESSBUREAU.COM.

6. Edward Magedson, a/k/a Ed Magidson ("Mr. Magedson"), an individual who, upon information and belief, is, and at all relevant times was, the owner and/or operator of WWW.RIPOFFREPORT.COM and WWW.BADBUSINESSBUREAU.COM ("the Websites") through badbusinessbureau.com, LLC. In addition, Mr. Magedson has used WWW.RIPOFFREPORT.COM and WWW.BADBUSINESSBUREAU.COM to conduct and direct the unlawful, infringing, and tortious conduct described herein within the jurisdiction of this Court.

7. On December 20, 2002, MCW filed Plaintiff's Original Complaint for Damages and Injunctive Relief (the "Original Complaint") with this Court, naming Edward Magedson a/k/a Ed

Magidson, WWW.RIPOFFREPORT.COM and WWW.BADBUSINESSBUREAU.COM as defendants. On December 31, 2002, MCW served the Original Complaint and summons on Mr. Madgeson personally and in his representive capacity as owner and operator of the Websites.

8. On or about January 31, 2003, Mr. Madgeson and badbusinessbureau.com, LLC appeared and filed Defendants' Motion to Quash Service of Process and Brief in Support Thereof, requesting that the Court quash service of all summons issued in this case for insufficient service of process under Federal Rule of Civil Procedure 12(b)(5). On February 28, 2003, United States Magistrate Judge Paul Stickney denied the Defendants' Rule 12(b)(5) motion to quash.

9. The Defendants omitted from their Rule 12(b)(5) motion to quash any defense or objection to this Court's *in personam* jurisdiction, thereby waiving any objection to the exercise of personal jurisdiction over the Defendants by this Court pursuant to Federal Rules of Civil Procedure 12(g) and 12(h). Accordingly, the Defendants having voluntarily appeared and submitted themselves to the jurisdiction of this Court, the exercise of personal jurisdiction over the Defendants is proper.

10. Defendants have sufficient minimum contacts with Texas to establish personal jurisdiction over Defendants. In addition or in the alternative, the acts of infringement, false advertising, business disparagement and other wrongful acts alleged in this Complaint occurred, arose and were directed in whole or part in or towards the Northern District of Texas making the exercise of specific personal jurisdiction over the Defendants by this Court proper. In addition or in the alternative, on information and belief, the Defendants' continuous and systematic contacts with the forum render the exercise of general personal jurisdiction proper. In either event, the exercise of personal jurisdiction over the Defendants would comport with principles of fair play and substantial justice.

IV. EDWARD MAGEDSON'S PERSONAL LIABILITY

11. Upon information and belief, Mr. Magedson is an individual who is and has been doing business in his individual capacity and as the owner and/or operator of or in concert with,

inter alia, Defendant badbusinessbureau.com, LLC, d/b/a WWW.RIPOFFREPORT.COM and WWW.BADBUSINESSBUREAU.COM, and therefore is individually liable for the infringing, disparaging and tortious activities described herein. At all relevant times, Mr. Magedson personally participated in and/or had the ability and right to supervise, direct, and control the infringing, disparaging, and other wrongful activities alleged in this Complaint.

12. On information and belief, Mr. Magedson derived direct financial benefits from the infringing, disparaging, and other wrongful activities alleged in this Complaint.

V. THE PLAINTIFF

13. Founded in 1947, Bernard Haldane Associates ("Bernard Haldane") is the nation's oldest, largest, and best-known career management organization. Bernard Haldane has more than 500 experienced professionals helping job hunters achieve their career goals. With more than 90 offices throughout the United States, Canada and the United Kingdom, Bernard Haldane has become one of the most recognized career management organizations throughout the world. Through these offices, Bernard Haldane has become well-known and famous to both its clients and the general public. Bernard Haldane assists tens of thousands of clients each year.

14. DRB, Ltd. owns the exclusive, perpetual, worldwide license, including sublicense rights, to conduct and operate career management service offices using the Bernard Haldane Names and Business Methods.

15. With its principal office in Dallas, Texas, Plaintiff, MCW, Inc. d/b/a/ Bernard Haldane Associates ("MCW/Bernard Haldane" or "Plaintiff") is a franchisee of DRB, Ltd. and owns the exclusive sublicense to use the Names and Business Methods of Bernard Haldane Associates for the Metropolitan area of Austin, Texas. MCW/Bernard Haldane also has been granted the right to enforce and protect the Bernard Haldane Names against the unlawful actions of Defendants alleged in this Complaint. MCW/Bernard Haldane assists many Texas clients each year with their career campaigns.

16. MCW/Bernard Haldane's right in the "Business Methods" includes, among other things, counseling on a one-to-one basis with adults seeking individual job and career counseling ("Business Methods"). Through this counseling, MCW/Bernard Haldane provides clients with job-hunting skills that can be leveraged throughout their lifetimes.

17. MCW/Bernard Haldane's above-identified right to use, enforce, and protect the "Names" of Bernard Haldane Associates includes the exclusive right to use the following names and marks in the Metropolitan area of Austin, Texas: "Bernard Haldane," "Haldane," "Bernard Haldane Associates," and "BHA," and also includes the right to enforce and protect these names and marks against the unlawful actions of Defendants alleged in this Complaint.

18. MCW/Bernard Haldane uses the Business Methods and Names to assist clients in Texas and from other states in carrying out a career campaign.

VI. THE BERNARD HALDANE MARKS

19. Through duly authorized Bernard Haldane franchisees and licensees throughout the world, including MCW/Bernard Haldane within the Metropolitan area of Austin, Texas, the BENARD HALDANE brand name and mark has been continuously used in commerce for more than half a century. The BERNARD HALDANE name and mark has been widely advertised and extensively offered in connection with certain career management services and related goods throughout the United States, and the BERNARD HALDANE name and mark has become, through widespread and favorable public acceptance and recognition, an asset of substantial value as a symbol of the valuable goodwill and the corresponding high quality goods and services offered in connection with the BENARD HALDANE name and mark. In addition to the strong and substantial common law rights subsisting in the BENARD HALDANE name and mark, the BENARD HALDANE name and mark has also become federally registered and exists on the U.S. Patent and Trademark Office's ("PTO") Principal Register.

20. The United States Patent and Trademark Office on March 31, 1998 issued U.S. Reg. No. 2,147,499, for the mark BERNARD HALDANE in connection with career counseling and

related educational services. A true copy of said registration is attached hereto and made a part hereof as Plaintiff's **Exhibit 1** and incorporated herein by reference. Said registration is in full force and effect.

21. The United States Patent and Trademark Office on December 15, 1998 issued U.S. Reg. No. 2,210,149, for the mark BERNARD HALDANE in connection with a variety of printed materials in the field of career counseling and development. A true copy of said registration is attached hereto as Plaintiff's **Exhibit 2** and incorporated herein by reference. Said registration is in full force and effect.

22. The underlying common law BENARD HALDANE trademark and service mark rights which form the basis for and are identified in these registrations are hereinafter referred to collectively as the "Bernard Haldane® Marks." MCW/Bernard Haldane owns the exclusive sublicense to use the Bernard Haldane® Marks in the Metropolitan area of Austin, Texas. MCW/Bernard Haldane also has been granted the right to enforce and protect the Bernard Haldane® Marks against the unlawful actions of Defendants alleged in this Complaint.

23. Through the extensive use and promotion of the Bernard Haldane® Marks over the years, MCW/Bernard Haldane and others have worked to establish valuable goodwill in the names and marks and consumers have come to associate the marks with the high quality goods and services offered by Bernard Haldane franchisees and licensees, including MCW/Bernard Haldane. For example, MCW/Bernard Haldane has prominently displayed the Bernard Haldane® Marks in its print and Internet advertising for its services. Because of this extensive, continuous use (along with the extensive and continuous use and promotion by other Bernard Haldane franchisees and licensees over the last 50 years), and as a result of the extensive publicity and public acclaim Bernard Haldane goods and services have garnered, the Bernard Haldane® Marks are well-known and famous worldwide.

24. MCW/Bernard Haldane has been extensively engaged in the business of using the Bernard Haldane® Marks in its marketing programs. The Bernard Haldane® Marks are well

known, famous, inherently distinctive and/or, on information and belief, have acquired distinctiveness long before the complained-of use by Defendants. MCW/Bernard Haldane and other duly authorized Bernard Haldane franchisees and licensees have expended great effort and resources in the promoting and advertising of the goods and services offered under the Bernard Haldane® Marks. As a result of this widespread and continuous use and promotion, the Bernard Haldane® Marks have become widely associated with MCW/Bernard Haldane and other Bernard Haldane franchisees.

VII. DEFENDANTS' UNLAWFUL CONDUCT

25. Defendants' unauthorized use of the Bernard Haldane® Marks constitutes (1) federal unfair competition, a violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a); (2) federal false advertising, a violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a); (3) state unfair competition, a violation of Texas law; (4) business disparagement, a violation of Texas law; and (5) state trademark infringement, a violation of Texas law.

26. Defendants own and/or operate websites located at WWW.RIPOFFREPORT.COM and WWW.BADBUSINESSBUREAU.COM as centralized websites for publishing and posting alleged fraudulent business practices. Upon information and belief, Defendants operate these websites for profit.

27. The domain name RIPOFFREPORT.COM, which points to the website located at WWW.RIPOFFREPORT.COM, is registered to badbusinessbureau.com, L.L.C., whose "WHOIS"[1] address is listed as H.F. Henville Building, Prince Charles Street, Suite 2, Charlestown, West Indies, Nevis Island, St Kitts, KN. The administrative and billing contact for the RIPOFFREPORT.COM domain pointing to WWW.RIPOFFREPORT.COM is ED, Mr. EDitor@badbusinessbureau.com at the same address. Upon information and belief, "ED, Mr. EDitor@badbusinessbureau.com" is defendant Mr. Magedson whose real address is 1138 S. Rose, Mesa, Maricopa County, AZ 85204

[1] WHOIS is an Internet utility that returns information about a domain name or IP address. It is a tool that may be used to look up domain name registrant contact information and other related information. The contact information included in a WHOIS record is provided by the registrant of the domain name in question and identifies the person or persons in charge of the domain name and how it is used.

and/or P.O. Box 310, Tempe, Maricopa County, AZ 85280. A true and correct copy of the referenced Whois record is attached hereto as **Exhibit 3** and incorporated herein by reference.

28. The domain name BADBUSINESSBUREAU.COM, which points to the website located at WWW.BADBUSINESSBUREAU.COM is registered to badbusinessbureau.com, L.L.C., whose "WHOIS" address also is listed as H.F. Henville Building, Prince Charles Street, Suite 2, Charlestown, West Indies, Nevis Island, St Kitts, KN. The administrative and billing contact for the BADBUSINESSBUREAU.COM domain pointing to WWW.BADBUSINESSBUREAU.COM also is ED, Mr. EDitor@badbusinessbureau.com at the same address. Upon information and belief, "ED, Mr. EDitor@badbusinessbureau.com" is defendant Mr. Magedson whose real address is 1138 S. Rose, Mesa, Maricopa County, AZ 85204 and/or P.O. Box 310, Tempe, Maricopa County, AZ 85280. A true and correct copy of the referenced Whois record is attached hereto as **Exhibit 4** and incorporated herein by reference. The website located at WWW.BADBUSINESSBUREAU.COM contains the same content as the website located at WWW.RIPOFFREPORT.COM.

29. The Defendants do not substantiate the source or accuracy of the information published and posted on the above referenced websites, including but not limited to, information published and posted using the Bernard Haldane® Marks. Further, in order to improve and enhance search engine results regarding Bernard Haldane, the Defendants edit, alter, change and create report names and identifiers using the Bernard Haldane® Marks. Additionally, Defendants' websites provide a search function where users can search postings organized by state, including postings allegedly involving Texas residents. Finally, in order to incite the readers and inflate the postings, the Defendants categorize posting under several groupings, including one titled "Con Artists."

30. On information and belief, Defendants have sent, or caused to be sent, Internet e-mail throughout the United States for soliciting false reports regarding Plaintiff.

31. Defendants have published false, misleading, and disparaging statements about the Plaintiff on their above-referenced websites. On September 28, 2002, notwithstanding the well-

known, prior statutory and common law rights in the Bernard Haldane® Marks and all similar variations thereof, the Defendants, without authorization or consent, reproduced and used the Bernard Haldane® Marks and/or confusingly similar variations thereof in connection with the publishing and posting of false, misleading, and disparaging statements about Plaintiff and/or its goods or services on the websites located at WWW.RIPOFFREPORT.COM and WWW.BADBUSINESSBUREAU.COM. Defendants categorized this posting under the category "Con Artists" and named the service posting "Bernard Haldane and Associates a scam Austin Texas." A true and correct copy of this publication and posting is attached hereto as **Exhibit 5** and incorporated herein by reference. Upon information and belief, the Defendants created the infringing name and the category, both of which are false, misleading, and disparaging. Further, Defendants are wrongfully profiting from their unauthorized commercial use of the Bernard Haldane® Marks and through use of the false, misleading, and disparaging statements about Plaintiff and/or its goods or services, as the posting contains several commercial advertisements, including advertisements offering: (1) services to raise capital for businesses; (2) services from Workforce One; (3) service of Roxy.com; (4) want ads; (5) advertisement space for sale; and (6) services of a related company called "Ripoff Revenge."

32. The Defendants have committed other acts of infringement, unfair competition, false advertising, and disparagement. For example, on September 25, 2002, notwithstanding the well-known, prior statutory and common law rights in the Bernard Haldane® Marks and all similar variations thereof, the Defendants, without the authorization or consent, reproduced and used the Marks and/or confusingly similar variations thereof in connection with the publishing of false, misleading, and disparaging statements about Plaintiff and/or its goods or services on the websites located at WWW.RIPOFFREPORT.COM and WWW.BADBUSINESSBUREAU.COM. A true and correct copy of this publication and posting is attached hereto as **Exhibit 6** and incorporated herein by reference. Upon information and belief, the Defendants created the infringing name to this service report, which reads: "Bernard Haldane Associates ripoff Dallas Texas." This assigned

infringing name is also false, misleading, and disparaging. This publication and posting specifically harms MCW/Bernard Haldane because it is organized under Texas postings.

33. Further, Mr. Magedson published a personal message on this posting that states: "We will not rest until they either change their ***fraudulent*** business practices or are ***run out of business***. In the meantime, we will do our best to help their ***victims*** get their money back. Texas, Wisconsin, Ontario, Virginia, Florida and California have gotten the message and many more are to come." (Emphasis added). This published and posted statement is false, misleading, and disparaging. MCW/Bernard Haldane's clients and potential clients are not "victims" and have not been the subject of any "fraudulent business practices." Defendants are wrongfully profiting from their unauthorized commercial use of the Bernard Haldane® Marks and through their use of the false, misleading, and disparaging statements about Plaintiff and/or its goods or services, as the posting contains several commercial advertisements, including advertisements offering: (1) services to raise capital for businesses; (2) services from Workforce One; (3) service of Roxy.com; (4) want ads; (5) advertisement space for sale; and (6) services of a related company called "Ripoff Revenge."

34. On April 12, 2002, notwithstanding the well-known, prior statutory and common law rights in the Bernard Haldane® Marks and all similar variations thereof, the Defendants, without authorization or consent, reproduced and used the Bernard Haldane® Marks and/or confusingly similar variations thereof in connection with the publishing and posting of false, misleading, and disparaging statements about Plaintiff and/or its goods or services, on the websites located at WWW.RIPOFFREPORT.COM and WWW.BADBUSINESSBUREAU.COM. A true and correct copy of this publication and posting is attached hereto as **Exhibit 7** and incorporated herein by reference. Upon information and belief, the Defendants created the infringing name to this service report, which reads: "Bernard Haldane waste of time general corporate complaint Austin Texas." This assigned infringing name is also false, misleading, and disparaging. Furthermore, this posting specifically harms MCW/Bernard Haldane because it is organized under Texas postings.

Defendants are wrongfully profiting from their unauthorized commercial use of the Bernard Haldane® Marks and through use of their false, misleading, and disparaging statements about Plaintiff and/or its goods or services, as the posting contains several commercial advertisements, including advertisements offering: (1) services to raise capital for businesses; (2) services from Workforce One; (3) service of Roxy.com; (4) want ads; (5) advertisement space for sale; and (6) services of a related company called "Ripoff Revenge."

35. On November 5, 2001, notwithstanding the well-known and famous, prior statutory and common law rights in the Bernard Haldane® Marks and all similar variations thereof, the Defendants, without authorization or consent, reproduced and used the Bernard Haldane® Marks and/or confusingly similar variations thereof in connection with the publishing of false, misleading, and disparaging statements on the websites located at WWW.RIPOFFREPORT.COM and WWW.BADBUSINESSBUREAU.COM. A true and correct copy of this publication and posting is attached hereto as **Exhibit 8** and incorporated herein by reference. Upon information and belief, the Defendants created the infringing name to this service report, which reads in part: "Bernard Haldane and Associates Scam . . . ." This assigned infringing name is also false, misleading, and disparaging. This posting specifically harms MCW/Bernard Haldane because it is organized under Texas postings. Defendants are wrongfully profiting from their unauthorized commercial use of the Bernard Haldane® Marks and through use of their false, misleading, and disparaging statements against Plaintiff and/or its goods or services, as the posting contains several commercial advertisements, including advertisements offering: (1) services to raise capital for businesses; (2) services from Workforce One; (3) service of Roxy.com; (4) want ads; (5) advertisement space for sale; and (6) services of a related company called "Ripoff Revenge."

36. The Defendants also publish and post their own false, misleading, and disparaging comments on the above-referenced websites under the name "EDitor's Comments." Upon information and belief, "EDitor" is in fact Edward Magedson. For example, on June 17, 2002, the Defendants published and posted the following false, misleading, and disparaging statements:

"The comments by the victim above are typical to Rip-off Report of Bernard Haldane. Usually forced statements derive from the victim in order to receive FULL or partial settlement from the Bernard Haldane SCAM which has bilked thousands of victims of millions of dollars fraudulently worldwide. Rip-off Report has relentlessly pursued this corrupt company for several months, obtaining very little success." A true and correct copy of this publication and posting is attached hereto as **Exhibit 9** and incorporated herein by reference. This publication is false, misleading, and disparaging. This publication specifically harms MCW/Bernard Haldane because it is organized under Texas postings. Further, Defendants are wrongfully profiting from their unauthorized commercial use of the Bernard Haldane® Marks and through use of their false, misleading, and disparaging statements about Plaintiff and/or its goods or services, as the publication and posting contains several commercial advertisements, including advertisements offering: (1) services to raise capital for businesses; (2) services from Workforce One; (3) service of Roxy.com; (4) want ads; (5) advertisement space for sale; and (6) services of a related company called "Ripoff Revenge."

37. The Defendants have published other postings that are false, misleading, disparaging, and actionable, all of which will be proved at the trial of this case, which are not limited to the publications posted under the State of Texas. These other publications involve the infringing and unauthorized use of the Bernard Haldane® Marks and all similar variations thereof by the Defendants, on the websites located at WWW.RIPOFFREPORT.COM and WWW.BADBUSINESSBUREAU.COM. These other publications and postings specifically harm MCW/Bernard Haldane because they are false, misleading, and disparaging and because they directly or indirectly infer that the actions published in those reports are those of MCW/Bernard Haldane. Further, Defendants are profiting from their unauthorized commercial use of the Bernard Haldane® Marks and through use of these other false, misleading, and disparaging publications because the posting contains several commercial advertisements, including advertisements offering: (1) services to raise capital for businesses; (2) services from Workforce One; (3) service of

Roxy.com; (4) want ads; (5) advertisement space for sale; and (6) services of a related company called "Ripoff Revenge."

VIII. INJURY TO PLAINTIFF

38. Defendants have committed and are committing acts of unfair competition, false advertising, trademark infringement, as well as business disparagement. These acts are willful, deliberate, and committed with prior notice and knowledge of the rights that MCW/Bernard Haldane enjoys in the Bernard Haldane® Marks. At a minimum, Defendants were willfully blind and acted in reckless disregard of the rights MCW/Bernard Haldane enjoys in the registered marks. Based on the scope of Defendants' known activities, MCW/Bernard Haldane believes that Defendants have engaged in other similar activities that constitute further deliberate and willful acts of unfair competition, false advertising, trademark infringement, and other violations of MCW/Bernard Haldane's rights.

39. By this conduct, and particularly by their advertising activities and unauthorized use of the Bernard Haldane® Marks to name, identify and/or attract attention to certain service postings and the referenced and other false, misleading, and disparaging statements about Plaintiff and/or its goods or services, Defendants have infringed on the Bernard Haldane® Marks and they have intentionally disparaged Plaintiff's business and violated its rights.

40. As a result of the publicity, promotion, advertising, and marketing efforts by MCW/Bernard Haldane and others, the general public has become familiar with the Bernard Haldane® Marks.

41. The injuries and damages that MCW/Bernard Haldane has sustained have been directly and proximately caused by Defendants' unfair competition, infringement of the marks, false and misleading advertising, as well as their intentional disparagement of MCW/Bernard Haldane's business and reputation.

42. Defendants' false and/or misleading and/or confusing and/or deceptive and/or disparaging postings on the above-referenced websites will allow Defendants to erode the

reputation and goodwill built up at great labor and expense by MCW/Bernard Haldane and other authorized franchisees and licensees of the Bernard Haldane® Marks in the career management market. These false and/or misleading and/or confusing and/or deceptive and/or disparaging postings are likely to irreparably damage the reputation and goodwill developed in the Bernard Haldane® Marks.

43. Defendants' false and/or misleading and/or confusing and/or deceptive and/or disparaging statements constitute an invasion and violation of MCW/Bernard Haldane's valuable property rights in a manner that unjustly enriches Defendants and has damaged MCW/Bernard Haldane in an amount which, upon information and belief, is far in excess of $75,000, exclusive of costs and interest.

44. Upon information and belief, MCW/Bernard Haldane has suffered irreparable injury in the marketplace and has lost sales from potential consumers because of Defendants' false and/or misleading and/or confusing and/or deceptive and/or disparaging statements as well as their improper and unlawful use of the Bernard Haldane® Marks.

IX. COUNT ONE

LANHAM ACT - UNFAIR COMPETITION

45. MCW/Bernard Haldane realleges and incorporates by reference paragraphs 1 though 44, inclusive, of this Complaint as fully set forth here.

46. The acts of Defendants in their commercial advertising and promotions, as set forth above, misrepresent the nature, characteristics, and qualities of MCW/Bernard Haldane's services and commercial activities in violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a). Defendants' use of the Bernard Haldane® Marks is a use of a false designation of origin or representation, and wrongfully and falsely designates MCW/Bernard Haldane's services, and constitutes false descriptions or representations in interstate commerce.

47. Defendants' use of copies of the Bernard Haldane® Marks constitutes infringement and misappropriation of the Bernard Haldane® Marks, actionable under the federal law of unfair competition.

48. Defendants' alleged acts of unfair competition have been committed with willful intent. Defendants said acts are in violation of 15 U.S.C. § 1125(a).

49. By reason of the foregoing, the Plaintiff has been injured in an amount not yet ascertained, and is entitled to monetary and equitable remedies.

X. COUNT TWO
LANHAM ACT - FALSE ADVERTISING

50. MCW/Bernard Haldane realleges and incorporates by reference paragraphs 1 though 49, inclusive, of this Complaint as fully set forth here.

51. Defendants' postings/advertisements/promotions complained of above makes at least the following representations:

- That MCW/Bernard Haldane or its employees are con artists.
- That MCW/Bernard Haldane is a scam or somehow scams its clients.
- That MCW/Bernard Haldane's services are a ripoff.
- That MCW/Bernard Haldane employs fraudulent business practices.
- That MCW/Bernard Haldane's clients are victims.
- That MCW/Bernard Haldane's services are a waste of time.
- That MCW/Bernard Haldane forces clients to make certain statements on the Defendants' websites.
- That MCW/Bernard Haldane has bilked thousands of victims of millions of dollars fraudulently worldwide.
- That MCW/Bernard Haldane is a corrupt company.

52. The foregoing representations are material and may be and have been relied upon by prospective clients of MCW/Bernard Haldane.

53. As alleged above in this Complaint, the Defendants have made false and misleading factual representations about the nature, characteristics or qualities of MCW/Bernard Haldane's services.

54. The Defendants' false and misleading representations were made in commerce or in connection with MCW/Bernard Haldane's services.

55. The foregoing representations are false and/or misleading.

56. Defendants' actions constitute false advertising in violation of Section 43(a)(1)(B) of the Lanham Act, 15 U.S.C. § 1125(a)(1)(B).

57. As a result of Defendants' unlawful acts, MCW/Bernard Haldane has suffered, and continues to suffer, substantial damages and irreparable injury, which damages and injury cannot be accurately computed at this time. Defendants' unlawful acts will continue to cause irreparable injury to MCW/Bernard Haldane unless enjoined.

XI. COUNT THREE

TEXAS COMMON LAW UNFAIR COMPETITION

58. MCW/Bernard Haldane realleges and incorporates by reference paragraphs 1 though 57, inclusive, of this Complaint as fully set forth here.

59. The acts and conduct of Defendants as alleged above in this Complaint constitute unfair competition in Texas at common law.

60. Defendants' conduct as alleged above has damaged and will continue to damage MCW/Bernard Haldane's business and reputation and has resulted in losses to MCW/Bernard Haldane and an illicit gain of profit to Defendants in an amount unknown at the present time. Defendants' conduct entitles MCW/Bernard Haldane to injunctive relief.

61. By reason of the foregoing, the Plaintiff has been injured in an amount not yet ascertained, and is entitled to monetary and equitable remedies.

XII. COUNT FOUR

TEXAS BUSINESS DISPARAGEMENT

62. MCW/Bernard Haldane realleges and incorporates by reference paragraphs 1 though 61, inclusive, of this Complaint as fully set forth here.

63. The acts and conduct of Defendants as alleged above in this Complaint constitute injurious falsehood or business disparagement under Texas law.

64. As alleged above in this Complaint, the Defendants published false and/or misleading and/or disparaging words, statements, and comments about MCW/Bernard Haldane and/or its goods or services.

65. As alleged above in this Complaint, the Defendants' false and/or misleading and/or disparaging words, statements, and comments were published without the Plaintiff's consent and with a lack of privilege.

66. The Defendants published the false and/or misleading and/or disparaging words, statements, and comments about MCW/Bernard Haldane and/or its goods or services with knowledge of the falsity of the words, statements, or comments or with reckless disregard for the words, statements, and comments' falsity.

67. Defendants' conduct as alleged above has caused special damages and will continue to cause special damages to MCW/Bernard Haldane in the form of lost sales. Further, the Defendants' publishing of false and/or misleading and/or disparaging words, statements, and comments about MCW/Bernard Haldane and/or its goods and services has played a substantial part in inducing others not to deal with the Plaintiff with the result that Plaintiff has suffered special damage, in the form of the loss of trade or other dealings. Defendants' conduct entitles MCW/Bernard Haldane to injunctive relief.

68. By reason of the foregoing, the Plaintiff has been injured in an amount not yet ascertained, and is entitled to monetary and equitable remedies.

XIII. COUNT FIVE

TEXAS COMMON LAW TRADEMARK INFRINGEMENT

69. MCW/Bernard Haldane realleges and incorporates by reference paragraphs 1 though 68, inclusive, of this Complaint as fully set forth here.

70. The acts and conduct of Defendants, as set forth above in this Complaint constitute infringement in Texas at common law.

71. Defendants' conduct as alleged above has damaged and will continue to damage MCW/Bernard Haldane's business and reputation and has resulted in losses to MCW/Bernard Haldane and an illicit gain of profit to Defendants in an amount unknown at the present time. Defendants' conduct entitles MCW/Bernard Haldane to injunctive relief.

72. By reason of the foregoing, the Plaintiff has been injured in an amount not yet ascertained, and is entitled to monetary and equitable remedies.

XIV. PRAYER FOR RELIEF

WHEREFORE, MCW/Bernard Haldane demands that judgment be entered against the Defendants as follows:

(1) That pursuant to federal and Texas state law, the Court issue preliminary and permanent injunctive relief that Defendants, their officers, agents, representatives, servants, employees, attorneys, successors and assigns, and all others in active concert or participation with Defendants, be enjoined and restrained, during the pendency of this action and permanently, from:

(a) infringing the Plaintiff's registered Marks;

(b) selling or marketing services in any way that tends to deceive, mislead, or confuse the public into believing that the Defendants' services are in any way sanctioned by or affiliated with Bernard Haldane or MCW/Bernard Haldane;

(c) diluting the distinctive quality of the Bernard Haldane® Marks;

(d) making any unauthorized use of the Bernard Haldane® Marks;

(e) otherwise competing unfairly with MCW/Bernard Haldane; and

(f) disseminating, using, or publishing false and/or misleading and/or disparaging words and comments concerning: (1) MCW/Bernard Haldane and its services; (2) MCW/Bernard Haldane's reputation or commercial activities; and (3) Bernard Haldane and its services, reputation, or commercial activities.

(2) That Defendants willfully infringed MCW/Bernard Haldane's rights in the above federally registered trademarks and service marks;

(3) That the Defendants be directed to file with this Court and serve on the Plaintiff within thirty (30) days after service of the injunction, a report in writing, under oath, setting forth in detail and certifying the manner and form in which the Defendants have complied with the order and the injunction pursuant to 11 U.S.C. § 1116;

(4) That the Defendants be required to account for and pay over to the Plaintiff all gains, profits, and advantages realized from the sale of infringing services;

(5) That the Defendants be required to pay to the Plaintiff such damages as the Plaintiff has sustained as a consequence of the Defendants' acts of trademark infringement, trademark dilution, unfair competition, deceptive and unfair practices, and commercial defamation, including multiple damages in the amount of three times the damages sustained by the Plaintiff;

(6) That the Defendants be required to deliver up to Plaintiff for destruction all products, packaging, labels, literature, advertising, and other material bearing copies, imitations, or reproductions, including confusingly similar variations of, the Bernard Haldane Marks®;

(7) That the Defendants be required to pay the Plaintiff's costs, expenses, and reasonable attorney fees in connection with this action;

(8) That the Defendants be required to contact any and all Internet business directory providers and Internet search engines to terminate all associations, if any, between Defendants and Plaintiff MCW/Bernard Haldane and Bernard Haldane; and

(9) That the Plaintiff has such other, further, and different relief as this Court deems just and equitable.

Dated: April 7, 2003

Respectfully submitted,

FISH & RICHARDSON P.C.

Matthew E. Yarbrough
Texas Bar No. 00789741
Thomas B. Walsh, IV
Texas Bar No. 00785173
Kelly D. Hine
Texas Bar No. 24002290
Victor C. Johnson
Texas Bar No. 24029640

5000 Bank One Center
1717 Main Street
Dallas, Texas 75201
(214) 747-5070 (Telephone)
(214) 747-2091 (Facsimile)

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was served on April 7, 2003, on the following counsel of record via the methods indicated below:

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Maria Crimi Speth
Grant Williams P.C.
3200 N. Central Avenue
Suite 2400
Phoenix, AZ 85012

Via Hand Delivery

J. Garth Fennegan
Settle & Pou, P.C.
Fitzhugh Central Building, Suite 100
4131 N. Central Expressway
Dallas, Texas 75204

COUNSEL FOR DEFENDANTS

Attorney for Plaintiff

Registration Number: 2147499

Status: REGISTERED

USPTO Status: (700) REGISTERED
USPTO Status Date: March 31, 1998

Filed: February 18, 1997
Published: January 6, 1998
Registered: March 31, 1998

Goods/Services:
(INT. CL. 41) EDUCATIONAL SERVICES, NAMELY, CONDUCTING WORKSHOPS, SEMINARS AND PRESENTATIONS FOR TRAINING CAREER COUNSELORS AND PERSONNEL PROFESSIONALS AND FOR DEVELOPING PERSONAL CAREER GOALS AND PERSONAL STRENGTHS
(INT. CL. 42) CAREER COUNSELING

International Class(es)
41 (Education and Entertainment Services)
42 (Scientific, technological and legal services)

International Class: 41
First Used: April 1947
In Commerce: April 1947

International Class: 42
First Used: April 1947
In Commerce: April 1947

Pseudo International Class(es)
42 (Scientific, technological and legal services)

Owner At Publication:
HALDANE, BERNARD
900 UNIVERSITY AVE #17E
SEATTLE , WASHINGTON 98101

Applicant:
HALDANE, BERNARD
900 UNIVERSITY AVE #17E
SEATTLE , WASHINGTON 98101

Filing Attorney: TARA BENSON

Filing Correspondent:
TARA BENSON
PERKINS COIE
1201 3RD AVE 40TH FL
SEATTLE WA 98101-3099

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2

Serial Number: 75243059
Registration Number: 2210149

Status: REGISTERED

USPTO Status: (700) REGISTERED
USPTO Status Date: December 15, 1998

Filed: February 18, 1997
Published: September 22, 1998
Registered: December 15, 1998

Goods/Services: PRINTED MATERIALS, NAMELY, BOOKS, BOOKLETS, WORKBOOKS, PAMPHLETS, BROCHURES, AND PERIODICALLY PUBLISHED NEWSPAPER, MAGAZINE AND SCHOLARLY JOURNAL ARTICLES, ALL OF THE ABOVE FEATURING INFORMATION ABOUT CAREER COUNSELING, CAREER DEVELOPMENT, EMPLOYMENT GUIDANCE AND CAREER COUNSELING THEORIES

International Class(es)
16 (Paper Goods and Printed Matter)

International Class: 16
First Used: April 1947
In Commerce: April 1947

Owner At Publication:
HALDANE, BERNARD
900 UNIVERSITY AVENUE #17E
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Filing Correspondent:
TARA BENSON
PERKINS COIE
1201 3RD AVE 40TH FL
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Registrant:
badbusinessbureau.com, llc
H. F. Henville Building
Prince Charles Street, Suite 2
Charlestown, West Indies
Nevis Island, St Kitts ---
KN
305-832-2949
Fax:425-799-9729

Domain Name: RIPOFFREPORT.COM

Administrative Contact:
ED, Mr. EDitor@badbusinessbureau.com
H. F. Henville Building
Prince Charles Street, Suite 2
Charlestown, West Indies
Nevis Island, St Kitts ---
KN
305-832-2949
Fax:425-799-9729

Technical Contact:
ED, Mr. EDitor@badbusinessbureau.com
H. F. Henville Building
Prince Charles Street, Suite 2
Charlestown, West Indies
Nevis Island, St Kitts ---
KN
305-832-2949
Fax:425-799-9729

Record last updated 07-17-2002 07:11:18 AM
Record expires on 12-08-2003
Record created on 12-09-1998

Domain servers in listed order:

NS1.TAGNET.NET	208.35.199.2
NS2.TAGNET.NET	65.167.204.10

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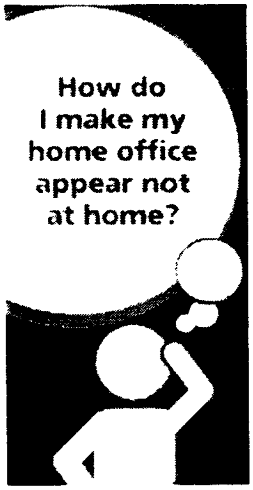

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Submitted: **9/28/2002 6:48:07 PM**
Modified: **9/28/2002 6:48:07 PM**

Category:
Con Artists

Bernard Haldane and Associates a scam Austin Texas

Bernard Haldane and Associates

Address:
98 San Jacinto Boulevard, Suite 300
Austin Texas 78701
U.S.A.
Phone:

Fax: -

Yesterday, Sept. 27, 2002, I went for my second interview with BHA. The saleman there (they are all "vice presidents") was, as others have noted, very slick but he did make a few mistakes. Such as telling the same story twice about running for office at 24 and again at 44 -- the second time it sounded rehearsed. I'm sure it was. He also claimed to be of 1/4 indian descent from Oklahoma, and had what appeared to be an actual tomahawk on display in a cabinet. But I could have sworn he said Creek and not Cree... The office was very tony, in prime real estate, but did not seem to be used much. On my

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second visit, it was virtually deserted (however,it was lunch time). Also, the conspicuous photographs of the elderly patron saint and founder Bernard Haldane, that kindly-looking old man, seemed fishy (I have since learned that Haldane himself is well-respected, but he sold his interest in the company way back in 1974 and has no role in its day-to-day operations). The VP referred to him several times as if he had a halo over his head, and noted sadly that he had died a few months ago.

By the time he showed me the CD embodying the so-called "Haldane method" I was quite sure it was a scam, since I already have access to similar information on the internet for free. Still, he hadn't yet come to mentioning the fee ("your investment with us"), and when he did I was TOTALLY SHOCKED. I never even came close to signing, though I hadn't seen this web site and knew nothing about BHA apart from the ad in the paper.

To all who were taken in, my sympathy. I was never in danger because 1) I *never* pay money up front for anything, let alone $5350; 2) I felt the contract was ridiculous -- it did not commit them to anything at all; 3) their "services" were never specified -- how the promised interviews would actually materialize was never discussed (I never raised the issue because I was already convinced it was a scam). Please don't let yourself be swayed by your emotions -- whenever you have strong feelings (especially when you are skilfully manipulated into having them), step back and question them. Above all, never act on the spot!

I left it that I would "think about it" but took the opportunity to poke a little ironic fun at the "vice president". He did not take it well -- his manner suddenly became coarse though he didn't say a word. He seemed to be fuming inwardly that I'd wasted his time and maybe gently mocked him. When I got home I did a search on the internet and found this site, among others, confirming my own conclusions. Needless to say, I won't be calling the wonderful folks at BHA again.

I believe they do have a service, but it is limited to advising clients on how best to present themselves in resumes and interviews. Their approach seriously misrepresents these services -- in no way are they worth more than a couple hundred bucks, if that. Their entire Spiel is carefully calculated to prey on clients who still have some money left but are afraid of soon being in dire straits.

Alan
Austin, Texas

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Associates

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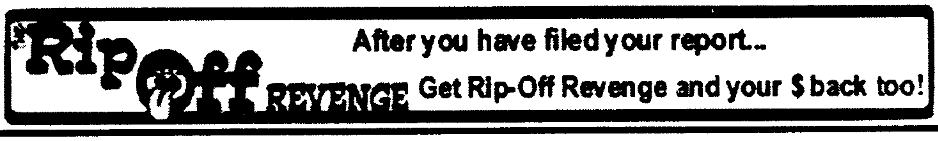
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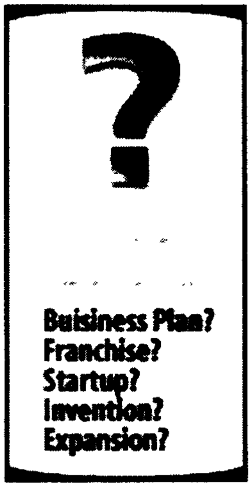
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Modified: **9/25/2002 2:25:37 AM**

Category:
Employment Services

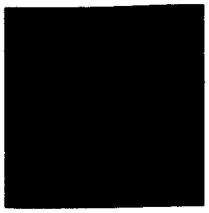
Bernard Haldane Associates ripoff Dallas Texas *EDitor's Comment .. We will not rest until they change their ways

Bernard Haldane Associates

Address:
12750 Merit Drive, suite 200
Dallas Texas 75251
U.S.A.
Phone:
972-503-4100
Fax: 972-503-4445
Email: rupton@bernardhaldane.com

I signed on with Haldane in July, 2001. Paid $7,250 up front and agreed to another $4,250 if placed above a certain salary level. The facilities were splendid, they knew all the hot buttons, there was a lot of traffic. Specifically, I was promised that:

1. They knew how to get around HR. I already knew that HR



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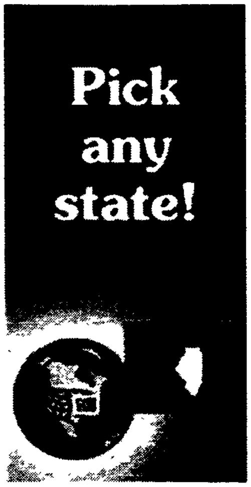

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was a real problem for me. They promised contacts in over 80,000 companies in the US. They promised that they could solve the HR problem.

2. That I would get my money back. They told me that they would not even send me on an interview unless the company was going to pay a fee and refund my money. They told me that many people put the fee on a credit card and got their money back before the credit card was even due.

3. That they, in fact, WERE a recruiting agency through Sterling Hightower. A young woman claiming to work for SH even attended one of my meetings with Haldane. The Haldane website is shared with SH.

I attended all the meetings, the group session, and worked the program hard. In September I signed up for unemployment and found out that everything that I had paid for through Haldane was available for free through the Texas Workforce Commission. I went back to Haldane and complained that they had done nothing for me that had any value. They had no business contacts at all, they couldn't help with HR in any fashion. Sterling Hightower, after 3 months had provided -0- leads of any value. And my 'counselor' laughed when I asked him about how my fee would be recovered.

Finally in November I realized it was all a scam and demanded a full refund. I filed a complaint with the Dallas BBB and with the Texas Attorney General. The Texas AG asked us to try to resolve it on our own. I have been wrestling this thing through the BBB process (which is another nightmare) and we are finally going to arbitration, although it hasn't been scheduled yet.

This company is a total FRAUD. They are trained well to decieve you but they have absolutely no ability to help you GET a job. Everything, absolutely everyting, that they offer is available for FREE. I found dozens of jobs that I was interested in and qualified for. They were of absoltuely no help in getting an interview. I never had a single interview during the entire 10 months that I was looking for a job. I finally did talk to a recruiter from MRI who told me, after quite a long conversation, that my resume was awful. The final insult, Haldane can't even write a resume that meets industry standards.

tim
Mansfield, Texas

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Update

Submitted: **10/22/2002 7:47:20 AM**
Modified: **10/23/2002 1:34:34 AM**

Haldane Dallas

My differences with this company have been resolved.

Update

Submitted: **10/23/2002 1:34:34 AM**
Modified: **10/23/2002 1:34:34 AM**

EDitor's Comment

Haldane has learned that they can't mess with the Rip-Off Report. We will not rest until they either change their fraudulent business practices or are run out of business.

In the meantime, we will do our best to help their victims get their money back. Texas, Wisconsin, Ontario, Virginia, Florida and California have gotten the message and many more are to come.

ED Magedson
EDitor@ripoffreport.com

REBUTTAL BOX

MY COMPANY HAS BEEN REPORTED!
HOW DO I RESPOND?

Are you an owner, employee or ex-employee with either negative or positive information about the company or can you provide "insider information" on this company? Do you have a consumer suggestion on how to resolve this problem or how to avoid it in the future? ONLY these types of responses will be added to the filed report, and will be posted within 24 hours of receipt. Make your voice heard. Let them know your side, too!

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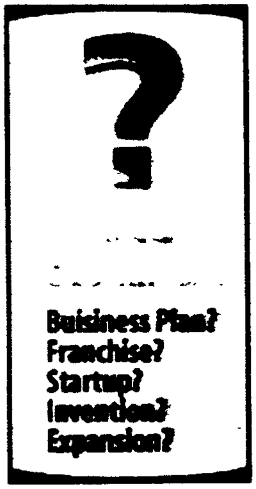

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Category:
Adult Career & Continuing Education

Submitted: **4/12/2002 11:17:55 AM**
Modified: **4/12/2002 11:17:55 AM**

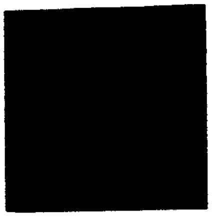
Bernard Haldane waste of time general corporate complaintAustin Texas

Bernard Haldane

Address:
98 San Jacinto Blvd. Austin, TX 78701
Austin Texas
U.S.A.
Phone:
Fax: -

I'd like to thank BadBusiness Bureau for publishing enough information about Bernard Haldane to divert me from going to a second meeting with them.

The consistency of all your published complaints plus the reference within one of the complaints to a New York Times article on the company's practices were persuasive. One complaint, in particular, persuaded me entirely by the logic of its argument: www.badbusinessbureau.com/view.asp?id=7979 . This one was definitely worth reading.



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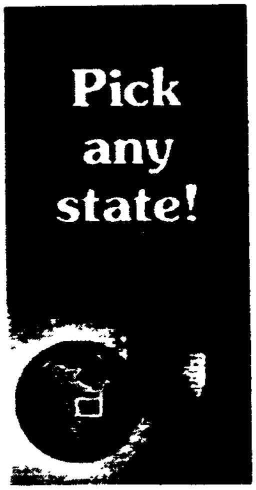

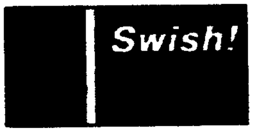

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I was not promised that the company would find me a job. However, a problematic practice, such as not giving me a price during the first meeting, was corroborated by similar complaints on your site. I should have been smarter than to realize that their explanation why they couldn't do so--i.e. "each client is different and pricing depends on each client's needs"-- was so much baloney.

Anyway, thanks for steering me away from a bad situation. I'll be sending you a small contribution!

claudia
austin, Texas

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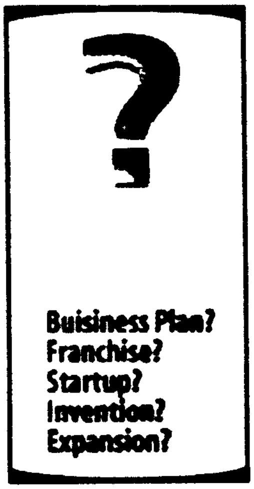

How do I make my home office appear not at home?

Category:
Employment Services

Submitted: **11/5/2001**
Modified: **11/5/2001**

Bernard Haldane and Associates Scam thank you

Company
Bernard Haldane and Associates

Address:
Houston Texas
U.S.A.
Phone:

I would like to thank everyone out there who posted information about this company. My wife and I had our meeting schedule today and after reading several of your posts, I have canceled my meeting with them. When I initially met with them last week, there was never one word about money. I'm assuming they were waiting for me to bring in my wife before they dropped that on me.

The only thing I got out of our first meeting was how unprofessional my resume looked. Of course, the gentleman I met with had no idea that I had attended a resume writing seminar and have never had any complaints with it in the past. I think he was trying to break it down so I would agree that it needed work and they could charge me the 75%!

Thanks again for saving me the time and money! Thanks to this site and the BadBusinessBureau, I will not get caught up in this scam. The office I was visiting had 3 complaints since they had opened, which was back in January. Not a good track record if you ask me.

Update

Submitted: **11/5/2001**
Modified: **11/5/2001**

Click here to all the others who have been victimized by Bernard Haldane Associates

REBUTTAL BOX

MY COMPANY HAS BEEN REPORTED!
HOW DO I RESPOND?

Are you an owner, employee or ex-employee with either negative or positive information about the company or can you provide "insider information" on this company? Do you have a consumer suggestion on how to resolve this problem or how to avoid it in the future? ONLY these types of responses will be added to the filed report, and will be posted within 24 hours of receipt. Make your voice heard. Let them know your side, too!

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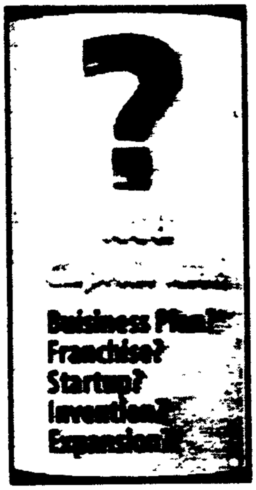

How do
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Category:
Employment Services

Submitted: 6/11/2002 9:35:23 PM
Modified: 6/17/2002 6:08:35 PM

Bernard Haldane Associates Gross Misrepresentation; Slick sales pitch - No product to back it up; Play on the Down and Out; Oak Brook Illinois *UPDATE ..Forced Retraction! *EDitor's Comment

Bernard Haldane Associates

Address:
1 Tower Lane
Oak Brook Illinois 60181
U.S.A.
Phone:
630-573-2923
Fax: 630-574-7048

This is in regards to Bernard Haldane, and my complete dissatisfaction with the service that I received from them. The verbal sales pitch was completely misrepresentative of what I actually received.

I visited the Oak Brook, Illinois office; however, I have read articles published in Boston, Texas and Kansas City outlining clients in those locations with the same issues that I have experienced here in Illinois.

To briefly outline the major issues I experienced, the following are my complaints:

- The period to complete the program and get to the interviewing process was grossly misrepresented. My salesman, Peter, indicated the process would go as quickly as I made it go. He told me there were clients that completed the process in as few as 12 days. In working with Nancy, my counselor, that was definitely NOT the case. When I questioned the period based on what I was told, she stated that was not realistic and that the process would take substantially longer. This was a very large concern to me since I clearly stated more than once to Peter that I had minimal financial resources and that time was of the essence. There were numerous occasions where I was reduced to tears in Nancy's office due to the lengthy process and my resulting fear and concern.

- The availability of positions in my field at my level was also grossly misrepresented. It is quite astounding that in the sales pitch, Peter had many positions in my field and geographical location in which individuals were placed for salaries in line with what he stated I should be qualified for based on my background. Once my resume and interviewing tips were completed, I was given access to Bernard Haldane's listing of job opportunities, there was not a single position even close to what I was lead to believe would be available to me.

- Contacts, contacts, contacts, or should I say lack of. Peter led me to believe that there were hundreds of job opportunities available to Bernard Haldane clients that were not listed anywhere else. That the world of key contacts I would have access to as a client was extremely broad. Interestingly enough, I was provided a listing of companies in the zip codes I wanted to find employment in. This is information I could most certainly have researched on my own at no cost.

These are the three major points grossly misrepresented to me. I did end up securing a position in my field, at a salary that I was happy with - but I did this on my own, not with any assistance from Bernard Haldane. Several individuals that reviewed it criticized the resume I developed at Bernard Haldane. I used the resume I had developed on my own, prior to any visits to Bernard Haldane, to get my current position.

Cynthia

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Mount Prospect, Illinois

Click here to read other Rip Off Reports on Bernard Haldane Associates

CLICK HERE, You must read this!! ..Financial Post Article LINK - Haldane not up to the job ..exposing this company for what it really is - a huge scam

Update

Submitted: **6/17/2002 5:05:16 PM**
Modified: **6/17/2002 6:27:54 PM**

Forced Retraction!

Please remove this report from the Internet.

----- Original Message -----
From: CYNTHIA B
To: info@RipOffReport.com
Sent: Monday, June 17, 2002 5:10 PM
Subject: How do I remove a report?

Hi, I filed a report against Bernard Haldane and am in the process of negotiating a partial refund with them. Part of this is based on retracting Internet bad publicity and I do not know how to remove the Rip Off Report I filed...not that I think they are a good company, but if it means getting 50% of my money back, I am happy to take it off the Internet.

Regards,
Cynthia B

Update

Submitted: **6/17/2002 6:08:35 PM**
Modified: **6/17/2002 6:27:54 PM**

EDitor's Comments to the above

EDitor's Comments: The comments by the victim above are typical to Rip-off Report of Bernard Haldane. Usually forced statements derive from the victim in order to receive FULL or partial settlement from the Bernard Haldane SCAM which has bilked thousands of victims of millions of dollars fraudulently worldwide.

Rip-off Report has relentlessly pursued this corrupt company

for several months, obtaining very little success. It has been reported to the Rip-off Report that Bernard Haldane Associates are now motivated to settle, and have been giving victims most of or ALL their money back because they now know they have been under investigation for several months as part of a cooperative effort between several media outlets and Rip-off Report.com

Therefore, in our opinion, be warned---DON'T take even one penny less than what you are owed. BHA knows they have been caught red-handed and we are letting the word out so that victims will not accept a settlement less than what they are owed.

They will force you to file as part of the settlement a retraction to your Rip-off Report, making the following statement, or something very similar: After discussing my dissatisfaction with the VP, we came to an agreement to terminate the contract. I am now satisfied and fully apologize to Haldane for this report that I am having trouble to delete from this site.

ED Magedson
EDitor@RipoffReport.com
badbusinessbureau.com
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We are a Nationwide Consumer Reporting News Agency
...by consumers, for consumers

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Prince Charles Street -suite 2
Charlestown, Nevis Island, West Indies
St. Kitts

DONATIONS may be sent to and
USA Victims and Volunteers respond to:
PO Box 1340, Media, Pennsylvania 19063

United States, Florida Message Phone and office FAX: 305-832-2949
United States west coast office FAX: 425-799-9729

Remember.
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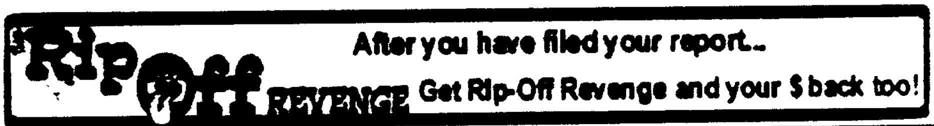
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